



U.S. House of Representatives
Committee on Transportation and Infrastructure

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SUMMARY OF SUBJECT MATTER

TO: Members of the Subcommittee on Economic Development, Public Buildings, and Emergency Management

FROM: Subcommittee on Economic Development, Public Buildings, and Emergency Management Staff

SUBJECT: Hearing on "Assuring the National Guard is as Ready at Home as It is Abroad"

PURPOSE OF THE HEARING

The Subcommittee on Economic Development, Public Buildings, and Emergency Management will meet on Friday, May 18, 2007, at 10 a.m., in room 2167 Rayburn House Office Building, for a hearing on "Assuring the National Guard is as Ready at Home as It is Abroad". At this hearing, the Subcommittee will hear testimony from the Federal Emergency Management Agency ("FEMA"), the North Carolina Division of Emergency Management, and the Missouri National Guard.

BACKGROUND

Today's National Guard traces its roots to militias that pre-dated the American Revolution and has been assisting the citizens and communities in our country since before our country's founding.¹ On a day-to-day basis, the National Guard reports to the Governor of its State or Territory,² who is the Commander-in-Chief of the National Guard. When the National Guard is activated by a Governor, this action is often referred to as "State Active Duty". When the Guard responds to disasters and emergencies (including those declared by the President, as well as lesser events that do not receive a Federal Declaration), it is usually a state activation.

¹ For a general discussion of the history of the National Guard and its legal status, *see generally* CRS Report "Hurricane Katrina: DOD Response" September 19, 2005, p. 7.

² The D.C. National Guard is under the exclusive control of the Federal Government at all times. *See Id.*

On a day-to-day basis, state emergency management agencies and the National Guard work closely together. Many state emergency management offices report to the adjutant general. When the President declares a major disaster or emergency under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, National Guard activity is eligible for Federal reimbursement. In most instances, this activity (and the activities of other State agencies) will be reimbursed through FEMA's Public Assistance programs.

At this hearing the Subcommittee will receive testimony on whether the National Guard is fully ready for disaster in their home states in light of the deployments of National Guard troops abroad. In many cases, National Guard troops leave equipment overseas when they return home so other units deploying overseas can use that equipment.

According to recent news accounts, a number of Governors have expressed concerns as to whether the National Guard can be ready for disasters in their home states in light of the deployment of troops overseas and depletions of equipment. The National Governors Association has also gone on record expressing this concern.

PRIOR LEGISLATIVE AND OVERSIGHT ACTIVITY

The Subcommittee has not held legislative hearings specifically dedicated to the National Guard and readiness for disasters.

During the 109th Congress, Congress enacted the Post-Katrina Emergency Management Reform Act of 2006 (P.L. 109-295) which contained a provision (sec 651) requiring FEMA to develop an inventory of Federal response capabilities, including a specific requirement for FEMA to work with the Department of Defense on military functions and organizations that can be used in support of Stafford Act activities.

WITNESS LIST

Panel I

The Honorable David R. Paulison
Administrator
Federal Emergency Management Agency

Panel II

Major General King Sidwell
Adjutant General
Missouri National Guard

Mr. Doug Hoell
Chairman, National Emergency Management Association EMAC Committee and
Director, North Carolina Division of Emergency Management